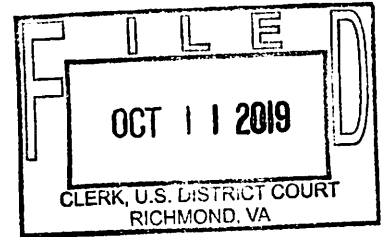


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



OZELIA HICKS,
Plaintiff,

v.

Civil Action No. 3:19CV700

JEFFREY KATZ, et al.,
Defendant.

MEMORANDUM OPINION

Ozelia Hicks, a Virginia inmate, submitted this civil action and applied to proceed in forma pauperis. The pertinent statute provides:

In no event shall a prisoner bring a civil action [in forma pauperis] if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.

28 U.S.C. § 1915(g). Hicks, a frequent litigant in this Court, has at least four actions or appeals that have been dismissed as frivolous, malicious or for failure to state a claim upon which relief could be granted. See Hicks v. Clements, No. 3:17CV851, 2018 WL 5798531, at *3 (E.D. Va. Nov. 5, 2018); Hicks v. Khawaja, No. 3:17CV853, 2018 WL 3130395, at *3 (E.D. Va. June 26, 2018); Hicks v. Darron, No. 3:17CV807, 2018 WL 3059603, at *3 (E.D. Va. June 20, 2018); Hicks v. Payne, No. 3:17CV805, 2018 WL 3059602, at

Accordingly, this Court will dismiss the action without prejudice. If Hicks wishes to litigate this action he may refile it accompanied by the full \$400.00 filing fee.

It is so ORDERED.

/s/ *REP*

Robert E. Payne
Senior United States District Judge